MR. CHAIRMAN: If you ask a question in regard to those who have submitted memoranda, the Minister will be able to answer. But if you ask, what is the number of widows in whose cases Estate Duty settlement is pending, how can the Minister answer the question?

SHRI J. K. JAIN: All right, Sir, I would like to know, how many cases are pending?

SHRI JANARDHAN POOJARI: Sir, the data yielding system does not provide for the information which the hon.Member has asked. Sir, between 1-4-1985 and up to 28-2-86, we have disposed of 17 620 cases and 14,120 cases are pending for disposal.

MR. CHAIRMAN: Can you say, how many of them relate to widows?

SHRI JANARDHAN POOJARI: Sir, I have already replied to the question.

श्री जे. के. जैन : सर, मंत्री जी ने यह बताया कि मार्किट वैल्यू के आधार पर ही इस्टेट-ड्यूटी को आंका जाता है । लेकिन कुछ क्लेज एसे हैं, जिसमें डी.डी.ए. की सम्पत्ति दस साल से पहले बेची नहीं जा सकती, इसको अगर मार्किट वैल्यू से आंकते हैं, तो यह एक जस्टीफीकेशन नहीं होता। तो मैं मंत्री जी से यह जानना चाहता हूं कि जो कुछ केसेज एसे हैं, जिनके उपर रिस्ट्रक्शन लगी हुई थी डी.डी.ए. की, कि दस साल से पहले बेची नहीं जा सकती, क्या एसे केसेज को परचेज वेल्यू के आधार पर निर्धारित करने के लिए कोई निर्देश जारी करेंगे ?

SHRI JANARDHAN POOJARI: Sir, all these points have been taken into consideration and the suggestion which the hon. Member has made is not practicable.

SHRI N.K.P. SALVE: Sir, this is one law where, when it existed and even today, there is no bar on limitation for completion of assessment of Estate Duty. This has caused very grievous harassment. May I ask of the hon. Minister, are there cases which are pending for more than ten years after the death of a person which have not been decided? Please fix a time-frame by which you can complete the cases. If you are in a position to do so, can you assure the House that within such and such time-limit, you will be able to compete the cases?

SHRI JANARDHAN POOJARI: Sir, directions have been given to the field officers to complete them within a year. As I said, 14,120 cases are pending.

MR. CHAIRMAN: How many in compliance and how many in breach?

SHRI NIRMAL CHATTERJEE: Sir, I supplement his question. Of the 14,000 odd cases, how many are related to cases of death before 1970, how many before 1975 and how many before 1980? The facts are known...

MR. CHAIRMAN: The same question.

SHRI NIRMAL CHATTERJEE: There has been a report of the Public Accounts Committee. He cannot feign ignorance. I would like to have the asnwer.

SHRI JANARDHAN POOJARI: The information is not available with me.

SHRI NIRMAL CHATTERJEE: The Public Accounts Committee was seized of the problem. They published a report. How can he say, he does not know?

MR. CHAIRMAN: One does not remember all the reports of all the Committees.

Non-payment of wages to the employees of 'National Herald'

*185. SHRI V. GOPALASAMY:†

DR. SHYAM SUNDER MOHAPATRA:

Will the Minister of LABOUR be pleased to state:

(a) whether it is a fact that the employees of the 'National Hearld' are not being paid their wages|salaries regularly by the management if so, what are the reasons therefor;

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†The question was actually asked on the floor of the House by Shri V. Gopalsamy.

(b) how many complaints in the past have been received by Government in this regard and what action has been taken on each complaint;

(c) what steps proposed to be taken to ensure that the management of the 'Natonal Herald' pays the wages/salaries to their employees regularly; and

(d) whether any prosecution has been initiated against the management of the said newspaper in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P. A. SANGMA): (a) to (d) A statement is laid on the Table of the House.

Statement

Government of Uttar Pradesh and Delhi Administration are the appropriate authorities to secure payment of wages/salaries to the employees of National Herald, Lucknow and Delhi respectively. Delhi Administration has reported that no complaint regarding non-payment of wages/salaries was received by them except a complaint made on 8.4.86 by the National Herald and Quami Awaz Employees Union that the wages for the month of March, 1986, have not been paid. However, the same were paid on 10.4.86.

The Government of Uttar Pradesh has reported that a dispute has been referred to the Court of Law for the payment of wages for 43 days falling in the months of August, September and October 1984. Besides Recovery Certificates for arrear of wages amounting to Rs. 10.5 lakh approximately were issued for the months of January to March, 1986, under U.P. Industrial Peace (Timely Payment of Wages Act), 1978. Further recovery certificate amounting to Rs. 8 lakhs approximately were issued during 1982 to 1985 due to non -implementation to Award under U.P. Industrial Dispute Act, 1947. U.P. Government has further informed that action would also be taken under U.P. Industrial Peace (Timely Payment of Wages) Act, 1978, if salary for April, 1986 is not paid.

SHRI V. GOPALSAMY: Mr. Chairman, Sir, the statement of the Government shows its all-out support to the management of 'National Herald', to crush the interests of the employees. Sir, on the intervention of the Labour Commissioner, Delhi, a settlement was reached on 22nd February, 1985 under which the management agreed to pay wages to the workers regularty, but the management did not honour the commitment. That is why a complaint was made by the employees union. Again an award was given by the Labour Tribunal on January 20 this year regarding payment of wages for 56 days by April 7, 1986. I would like to know whether this commitment as per the award was also honoured or not because I understand the management has gone back on the award. If the management has gone back on the award, is it not sheer violation of Industrial Dispute Act? I would like to know....

MR. CHAIRMAN Don't exhaust all your questions in one supplementary. I will allow you second supplementary also. Yes, Mr. Minister.

SHRI P. A. SANGMA: Sir, one thing is to be understood first. For the purpose of taking action against the National Herald the appropriate Government is not the Central Government but the U.P. Governmnet and the Delhi Administration. Therefore, the question of taking action from the side of the Government of India does not arise.

We have furnished information on the basis of the information which we have received from Delhi Administration and U.P. Administration. As for the question of the hon. Member, the workers went on strike w.e.f 10-1-1985 which you have perhaps mentioned and this was called off on 20-3-1985. The issue for the strike was for bonus. Then the settlement was reached and the bonus was paid to them. The remaining question was, what to do with regard to the payment of wages for the strike period and this was referred to the Tribunal. The Tribunal did give an award but in the meantime the management said that the workers have gone on strike. This is the information I have got and in my

main answer all the steps that have been taken by the U.P. Government have been narrated.

SHRI V. GOPALSAMY: Sir, I think the Government wants to protect the management because it is run by Yashpal Kapoor, one of the blue-eyed men of emergency. That is why they want to protect the management.

MR. CHAIRMAN: *Obiter dicta.*

SHRI V. GOPALSAMY: I want to know the dues of provident fund and ESI which the management has to pay to the employees. Is it a fact that the management has never botherd to deposit its share for the provident fund and ESI?

SHRI P. A. SANGMA: There is no question of protecting anybody. Everybody is subject to the law. As for the default in the provident fund, the amount of arrear as far as Delhi unit is concerned is Rs. 10.93 lakhs and it is Rs. 18.16 lakhs as far as Lucknow unit is concerned. Complaints have been lodged under sections 406 and 409 of the IPC and prosecutions are going on.

SHRI V. GOPALSAMY: What about the deposits?

SHRI PARVATHANENI UPENDRA: 'National Herald' stands on a special footing not only because it was founded by great Jawaharlal Nehru but it is treated unofficially as the Congress (I) paper. In spite of the patronage given by the Government in the form of advertisements and purchasing bulk copies to be distributed free everywhere, this paper's management has been following anti-labour policies. Recently they have closed down the Lucknow edition suddenly with one day's notice, throwing all the employees out of employment. Will the Government be strict with its management and see that they stopped following the anti-labour policies and also that they reopened the Lucknow edition taking back all the employees?

SHRI P. A. SANGMA: Yes, I am also informed that the Lucknow edition has been closed from 1st of May. I had been in touch with the Government of U.P. In fact on Sunday last the Minister of Labour from U.P. herself came down to Delhi and we had a discussion on that day. There was a discussion between the management, U.P. Government and the employees and I was assured that another meeting has been convened today at Lucknow and they are trying to resolve the issue.

SHRI S. W. DHABE: Sir, it is very unfortunate that in a metro-politan city like the capital important papers are closed. Yesterday we discussed about one daily which is an important newspaper of India. And *National Herald* is closed at Delhi and also at Lucknow. I think the Ministry is not taking any effective steps to reopen these national dalies. They must use the machinery for conciliation and also their good offices. A deputation from the National Herald Employees' Union met hon. Prime Minister in the month of January and I think the Minister was also present at that time. There it was assured that steps would be taken to see that the paper reopened. The very important thing, apart from P.F. and ESI contributions, is that if the papers do not reopen, not only the public suffers but also the employees suffer very much. May I know from the Minister what steps he will be taking immediately for the reopening of there newspapers both at Delhi and Lucknow?

SHRI P. A. SANGMA: As I have made it very clear in the beginning, the appropriate Government to take action is the State Government of UP and the Union Territory administration. As far as the *Hindustan Times* is concerned, which hon. Member is referring to, the appropriate Government is Delhi Administration. Therefore, it is for them to take appropriate steps. I can only help them to solve the problem.

SHRI S. W. DHABE: I am not saying that.

MR. CHAIRMAN: His answer is correct. The appropriate Government is the State Government and Delhi Administration.

श्री सत्य प्रकाश मालवीय: मान्यवर, जो नेशनल हैरल्ड का अखबार है, उसकी स्थापना पंडित जवाहरलाल नेहरू ने की थी और उन्होंने कहा था--"फ्रीडम इज इन पैरिल, डिफैंड इट विद आल युवर माइट" । यह उस अखबार में भी बराबर लिखा रहता था अंग्रेजों के जमाने में । उसके बाद प्रधान मंत्री जी के पिता स्वर्गीय फीरोज गांधी उसके प्रबंधक रहे।

श्रीमन्, उसके तीन अखबार हैं--नेशनल हैरल्ड, नवजीवन हिन्दी में और कौमी आवाज उर्दू में । नवजीवन और कौमी आवाज लखनऊ से प्रकाशित होते हैं किन्तु उनका भी प्रकाशन बंद हो गया है । मेरा मंत्री जी से प्रश्न यह है कि नेशनल हैरल्ड, नवजीवन और कौमी आवाज के जो कर्मचारी वहां से निकाले जा रहे हैं उनको अविलंब वापस लेने और उनको चालू करने के लिए क्या कर रहे हैं ?

SHRI P. A. SANGMA: I share the concern of the hon. Member that they should not be thrown out It is because of this interest that, as I have said, I myself had a meeting with the hon. Minister of U.P. and today they are having a meeting and trying to resolve the dispute.

MR. CHAIRMAN: Next question. Question No. 186. Shri Kalayanasundaram. Absent. Question No. 187. Absent. Question No. 188. Shri Nirmal Chatterjee.

*186. [*The Questioner (Shri M. Kalyanasundaram) was absent for answer* vide *col.... infra*].

*187. [*The Questioners (Shri Sheo Kumar Mishra and Kapil Verma) were absent for answer* vide *col.... infra*]

Excise duty cuts for small scale sector

*188. SHRI DIPEN GHOSH:

SHRI NIRMAL CHATTERJEE:†

Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that the Ministry of Industry has proposed excise duty cuts for the small-scale sector in order to improve the competitiveness of their products both at home and abroad;

(b) if so, whether Government propose to reduce the excise duty; and

(c) whether such cuts will be on all items or on some selected item?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHAN POOJARI): A statement has been laid on the Table of the House.

Statement

(a) to (c) The Ministry of Industry, as part of their recommendations relating to fiscal concessions, for the small-scale sector, had proposed liberalisation of the exemption scheme for small units. The Government, after taking into account the recommendations of the Ministry of Industry and the representations received from the small-scale sector, have already increased the limit for excise duty exemption for the small-scale units. It is not proposed to reduce the excise duty any further for the small-scale units.

SHRI N. K. P. SALVE: Is it estate duty or excise duty?

SHRI NIRMAL CHATTERJEE: It is excise duty. Since you are alive, it cannot be estate duty.

Sir, my question is to what extent these concessions to the small-scale sector go to the MRTP and FERA companies?

SHRI JANARDHAN POOJARI: Sir, these concessions are meant for small scale units, not for FERA companies or MRTP companies.

SHRI NIRMAL CHATTERJEE: Is there a ban on MRTP companies having a unit which is in the small scale sector?

SHRI JANARDHAN POOJARI: There is no ban for any individual or any company. If they are coming under a small scale unit, the benefit will be available to them also.

SHRI NIRMAL CHATTERJEE: There fore I asked the question. The answer is not there. He has denied it. What is the

†The Question was actually asked on the floor of the House by Shri Nirmal Chatterjee.